



Green To Go Meeting  
November 14, 2011 City Hall Wing Rooms 118/119  
2:00 p.m. – 3:30 p.m.  
Minutes

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**Meeting Purpose:** During this meeting the City will provide a summary of the stakeholder engagement process and input, a restaurant cost analysis, and the identified measure to be presented to the Transportation and Environment Committee.

**Attendees:**

<u>Name</u>	<u>Business</u>
Brien Badeer	Santa Clara University
Jin Bae	Santa Clara University
Jaime Bauer	Nothing Wasted Consulting
Olivia Benson	Santa Clara University
Brett Calhoun	Santa Clara Valley Water District
Pete Carillo	SVA McDonald's
Soma Chatterjee	San José State University
Phil Cornish	Guadalupe River Park Conservancy
Cosme Fagundo	CAMBAS
Carmela Gaspor	Santa Clara University
Ann Grabowski	City of San José Council District 9
Julie Kelis-Bramer	
Jennifer Kim Luc	City of San José Council District 3
Jessica Lonbardi	Santa Clara University
Bob Loreen	PAMS
Guyonna McCullough	St. James AME Church
Alex Ontiveros	South Bay Citizens for Recycling Solutions
Bill Roth	City of San José Integrated Waste Management
Kate Slama	Santa Clara Valley Water District
Richard Wong	ECS Design, Inc.

- I. Welcome and meeting overview by Carolina Camarena, Marketing Communications Representative
- II. Presentation by Paul Ledesma, Trash and Litter Reduction Coordinator Environmental Services Department.  
[Link to the presentation](#)
- III. Questions & Input Comment Session

**Q:** What about the cost for alternatives for soup or hot liquids?

**A:** Alternatives for those products are not included in this analysis, however, increases would be a little more than paper because they are thicker. Buying paper cups represents a 57% increase; buying containers for hot liquids would likely be a 65-85% difference.

**Q:** What happens to Bagasse when it hits water?

**A:** It will break up because it is water soluble. There is some criticism of its performance because the time it will maintain its structural integrity after becoming wet is shorter than other materials.

**Q:** Are the prices of these products from a business in San José?

**A:** Yes. The prices come from Area Distributing which has been in San José for 30+ years.

**Q:** Bagasse is offered as an alternative here but the measure, as currently discussed, wouldn't mandate materials that biodegrade in the marine environment, right?

**A:** Correct. We are discussing alternatives to expanded polystyrene, not specifying a particular one like bagasse or compostables, etc. Bagasse was used here as an example of a common alternative.

**Q:** Isn't it a big assumption to think that restaurants will pass on the increased costs to consumers?

**A:** Yes, but in talking with Lee's Sandwiches on how they dealt with the ban in San Francisco the cost of compliance was partially passed along to customers and some portion was absorbed by the restaurant. It is unknown how much of the increased costs were passed on and different restaurant types might pass on costs differently.

**Q:** In the example of the taco plate, is it true that they only make a 23 cent profit?

**A:** The example does have some assumptions on costs built into it. Restaurants typically have a 4 – 6% profit margin. This example estimated a 4% profit. This profit estimate came from a presentation by the California Restaurant Association and is consistent with other research we conducted.

**Comment:** Over half of their profit would be gone with this type of policy so why can it not be passed on to the consumer.

**Comment:** The City conducted a survey of almost all of the cities that have EPS bans (around 50) and no one had an example of a restaurant going out of business because of an EPS ban.

**Q:** Are the reduction percentages listed here (refer to page 12 of the [presentation](#)) applied toward the 40% reduction target mandated in the Stormwater Permit?

**A:** Yes. Our trash loading (how much trash today is being deposited on our streets and in our stormdrains) is being calculated and mapped out based on land use and population density. From that estimate, we will need to reduce trash loading by 40%.

**Q:** Are you assigning dollar amounts to these options now? (refer to page 12 of the [presentation](#))

**A:** Yes. The [presentation from Meeting 6](#), that is posted online, has some cost estimates. We are currently working on refining the costs.

**Q:** What does more enforcement look like? (refer to page 12 of the [presentation](#))

**A:** Environmental or Code Inspectors would ensure businesses have the right size trash container, ensure hauling loads are tarped, investigate illegally dumped debris, etc. However, this may be hard since the City has reduced staffing levels. We can and will do some preventative work such as putting cameras and barriers in illegal dumping hot spots.

**Q:** At what point will this be revisited for the reductions required by 2017 and 2022?

**A:** There will be negotiations with the Water Board by 2014 for the terms of the next permit. The City also reports out annually to the Board. Our short term plan that maps out the City's path to the required 40% reduction is due in February 2012 and we have a long term plan for future reductions due in 2014. There will be upcoming stakeholder meetings on the short term plan.

**Q:** If the City doesn't have the resources for inspectors wouldn't it be more efficient to regulate suppliers of EPS in high density areas so they cannot sell these products instead of the restaurants?

**A:** It might be more efficient but you would still get litter spilling over from other communities.

**Q:** Can the City ban suppliers in San José from selling these products?

**A:** Probably not and we wouldn't want to prohibit San José businesses from selling EPS because they may have out of town/state customers that want EPS and not being able to sell it might put them at a business disadvantage. It might be possible at the state level.

**Q:** How have other cities been able to ban it?

**A:** They have banned it at the city level, not the distributor level. We are unaware of any bans at the distributor level.

**Q:** Won't manufacturers respond to demand? If restaurants are using alternatives won't they substitute these for EPS?

**A:** Yes.

**Q:** What is the timeline on this? If there is a ban when would it take effect?

**A:** We will go back to Council and report out and see what their direction is. Sometime in 2012 we will know what the City will or will not pursue. We will tentatively have another *Green To Go* meeting in February 2012 to review the specifics of Council's direction – whether that is doing more research, talking about specifics of the ordinance, etc.

**Q:** When do you expect the results of the December 5<sup>th</sup> committee meeting to go to the full Council?

**A:** The Transportation & Environment Committee reports out to the full Council two weeks after the meeting date. You can access Council Committee agendas by clicking on this [link](#).

**Q:** If the direction is to draft an ordinance after the issue goes to full Council in December what is the likely implementation schedule on coming back with an ordinance?

**A:** It depends on what the ordinance entails and the workplan of the department. Normally there would be a lag time from when the ordinance is adopted and when it becomes effective to notify people of the change. Then once it is effective there will be a period where enforcement is soft followed by stricter enforcement. The implementation timeline will be considered and brought back for feedback. However, we can say that it likely will not be as long as the lag time for single-use bags because that effort requires much more to communicate with the public about the ordinance.

**Q:** At large events we have found that there is confusion between biodegradable and compostable. Would this be an issue for educating restaurants? If a ban proceeds how will the restaurants deal with this?

**A:** At this point in the process, we haven't looked at this. If we receive direction to pursue a ban, then we will discuss alternatives, what materials are compliant, and how to communicate this to restaurants.

**Q:** Is there a way to make comments known to the committee if you cannot make the December 5<sup>th</sup> meeting?

**A:** Yes. You can write a letter/email to your Council member or you can submit a letter to the Clerk's office for the public record. If you don't have an opinion to express you can watch the meeting via online streaming ([http://sanjose.granicus.com/ViewPublisher.php?view\\_id=2](http://sanjose.granicus.com/ViewPublisher.php?view_id=2)).

#### IV.     **Next Steps**

- a.   The next opportunity for public input will be at the December 5<sup>th</sup> [Transportation and Environment Council Committee](#) meeting. That meeting will be at 1:30 p.m. in Wing rooms 118/119. All interested stakeholders are invited.
- b.   The eighth Green *To Go* meeting is pending Council direction. An announcement will be sent via email. If you would like to be added to the email list please send an email to [GreenToGo@sanjoseca.gov](mailto:GreenToGo@sanjoseca.gov) or call (408) 975-2586.
- c.   Announcements for stakeholder meetings on the City's Short Term Trash Reduction Plan will also go out via the Green *To Go* email list.